

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CAROLYN GREENE, on behalf of herself)
and all others similarly situated,)

Plaintiff,)

v.)

BIOPURE CORPORATION, THOMAS)
A. MOORE, CARL W. RAUSCH, and)
RONALD F. RICHARDS,)

Defendants.)

Civil Action No. 1:03-CV-12628 (NG)

JOHN G. ESPOSITO, JR., on behalf of)
himself and all others similarly situated,)

Plaintiff,)

v.)

BIOPURE CORPORATION, THOMAS)
A. MOORE, CARL W. RAUSCH, and)
RONALD F. RICHARDS,)

Defendants.)

Civil Action No. 1:04-CV-10013 (NG)

[Captions continued on next page]

**MOTION TO CONSOLIDATE ACTIONS,
TO BE APPOINTED LEAD PLAINTIFFS AND FOR APPROVAL OF LEAD
PLAINTIFFS' SELECTION OF LEAD COUNSEL AND LIAISON COUNSEL**

JOSEPH L. KING, on behalf of himself)
and all others similarly situated,)

Plaintiff,)

v.)

Civil Action No. 1:04-CV-10038 (NG)

BIOPURE CORPORATION, THOMAS)
A. MOORE, CARL W. RAUSCH, and)
RONALD F. RICHARDS,)

Defendants.)

MICHAEL E. CRIDEN, individually and)
on behalf of all others similarly situated,)

Plaintiff,)

v.)

Civil Action No. 1:04-CV-10046 (NG)

BIOPURE CORPORATION, THOMAS)
A. MOORE, and CARL W. RAUSCH,)

Defendants.)

ISRAEL SHURKIN and SHARON)
SHURKIN, individually and on behalf of)
all others similarly situated,)

Plaintiff,)

v.)

Civil Action No. 1:04-CV-10055 (NG)

BIOPURE CORPORATION, THOMAS)
A. MOORE, and CARL W. RAUSCH,)

Defendants.)

[Captions continued on next page]

JAMES J. NIZZO, VIRGINIA C. NIZZO,)
and CARLO CILIBERTI, on behalf of)
themselves and all others similarly situated,)

Plaintiff,)

v.)

Civil Action No. 1:04-CV-10065 (NG)

BIOPURE CORPORATION, THOMAS)
A. MOORE, CARL W. RAUSCH, and)
RONALD F. RICHARDS,)

Defendants.)

BARRY BROOKS, on behalf of himself)
and all others similarly situated,)

Plaintiff,)

v.)

Civil Action No. 1:04-CV-10077 (NG)

BIOPURE CORPORATION, THOMAS)
A. MOORE, CARL W. RAUSCH, and)
RONALD F. RICHARDS,)

Defendants.)

ANASTASIOS PERLEGIS, individually)
and on behalf of all others similarly)
situated,)

Plaintiff,)

v.)

Civil Action No. 1:04-CV-10078 (NG)

BIOPURE CORPORATION, THOMAS)
A. MOORE, CARL W. RAUSCH, and)
RONALD F. RICHARDS,)

Defendants.)

[Captions continued on next page]

MARTIN WEBER, on behalf of himself)
and all others similarly situated,)

Plaintiff,)

v.)

Civil Action No. 1:04-CV-10090 (NG)

BIOPURE CORPORATION, THOMAS)
A. MOORE, CARL W. RAUSCH, and)
RONALD F. RICHARDS,)

Defendants.)

BRUCE HAIMS, individually and on)
behalf of all others similarly situated,)

Plaintiff,)

v.)

Civil Action No. 1:04-CV-10144 (NG)

BIOPURE CORPORATION, THOMAS)
A. MOORE, CARL W. RAUSCH, and)
RONALD F. RICHARDS,)

Defendants.)

MODEL PARTNERS LIMITED,)
individually and on behalf of all others)
similarly situated,)

Plaintiff,)

v.)

Civil Action No. 1:04-CV-10155 (NG)

BIOPURE CORPORATION, THOMAS)
A. MOORE, CARL W. RAUSCH, and)
RONALD F. RICHARDS,)

Defendants.)

[Captions continued on next page]

JUNE E. PATENAUDE, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS
A. MOORE, CARL W. RAUSCH, and
RONALD F. RICHARDS,

Defendants.

Civil Action No. 1:04-CV-10179 (NG)

NANCY L. PINKNEY and GERTRUDE
PINCKNEY, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS
A. MOORE, and CARL W. RAUSCH,

Defendants.

Civil Action No. 1:04-CV-10189 (NG)

W. KENNETH JOHNSON, on behalf of
himself and all others similarly situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS
A. MOORE, CARL W. RAUSCH, and
RONALD F. RICHARDS,

Defendants.

Civil Action No. 1:04-CV-10190 (NG)

[Captions continued on next page]

GREGORY KRUSZKA, on behalf of)
himself and all others similarly situated,)

Plaintiff,)

v.)

Civil Action No. 1:04-CV-10202 (NG)

BIOPURE CORPORATION, THOMAS)
A. MOORE, CARL W. RAUSCH, and)
RONALD F. RICHARDS,)

Defendants.)

PLEASE TAKE NOTICE that class members Neil & Susan Fineman, Michael Navilio, Robert Powell and Edward P. Collins (collectively, the "Biopure Lead Plaintiff Group"), by their counsel, hereby move this Court, for an Order: (i) appointing the Biopure Lead Plaintiff Group as lead plaintiffs; (ii) approving the Biopure Lead Plaintiff Group's selection of the law firms of Schiffrin & Barroway, LLP and Cauley Geller Bowman & Rudman, LLP to serve as lead counsel; (iii) approving the Biopure Lead Plaintiff Group's selection of the law firm of Gilman and Pastor, LLP to serve as liaison counsel; and (iv) granting such other and further relief as the Court may deem just and proper. In support of this motion, the Biopure Lead Plaintiff Group submits herewith a memorandum of law and declaration of David Pastor.

Dated: March 1, 2004.

Respectfully submitted,

GILMAN AND PASTOR, LLP

By: _____

David Pastor

David Pastor (BBO # 391000)

Peter A. Lagorio (BBO # 567379)

Stonehill Corporate Center

999 Broadway, Suite 500

Saugus, MA 01906

Telephone: (781) 231-7850

Facsimile: (781) 231-7840

Proposed Liaison Counsel

CERTIFICATE OF SERVICE

I Hereby Certify That A True Copy of
The Above Document Was Served Upon
The Attorney Of Record For Each Other

Party By Mail (By Hand) On 3/1/04

David Pastor

SCHIFFRIN & BARROWAY, LLP

Andrew L. Barroway

Stuart L. Berman

Darren J. Check

Three Bala Plaza East, Suite 400

Bala Cynwyd, PA 19004

Telephone: (610) 667-7706

Facsimile: (610) 667-7056

**CAULEY GELLER BOWMAN
& RUDMAN, LLP**

Samuel H. Rudman

David A. Rosenfeld

200 Broadhollow Road, Suite 406

Melville, NY 11747

Telephone: (631) 367-7100

Facsimile: (631) 367-1173

Proposed Lead Counsel

Biopure Corporation Securities Litigation

Service List

Plaintiffs' Counsel

Samuel H. Rudman
Russell J. Gurnan
Cauley Geller Bowman & Rudman, LLP
200 Broadhollow Road, Suite 406
Melville, NY 11747

Marc A. Topaz
Schiffrin & Barroway, LLP
Three Bala Plaza East, Suite 500
Bala Cynwyd, PA 19004

Jules Brody
Howard T. Longman
Stull, Stull & Brody
6 East 45th Street
New York, NY 10017

Nancy Freeman Gans
Moulton & Gans, P.C.
33 Broad Street, Suite 1100
Boston, MA 02109

Steven G. Schulman
Peter E. Seidman
Sharon M. Lee
Milberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza, 49th Floor
New York, NY 10119

Bruce G. Murphy
Law Offices of Bruce G. Murphy
265 Lywyds Lane
Vero Beach, FL 32963

Jeffrey C. Block
Patrick T. Egan
Berman Devalerio Pease Tabacco Burt
& Pucillo
One Liberty Square, 8th Floor
Boston, MA 02109

Steven J. Toll, Esq.
Julie Goldsmith, Esq.
Cohen, Milstein, Hausfeld & Toll, P.L.L.C.
1100 New York Avenue, N.W.
West Tower, Suite 500
Washington, D.C. 20005

Daniel L. Berger
Gerald L. Silk
Bernstein Litowitz Berger & Grossman LLP
1285 Avenue of the Americas
New York, NY 10019

Susan R. Strenger
Perkins Smith & Cohen, LLP
One Beacon Street, 30th Floor
Boston, MA 02108

Robert Harwood
Samuel K. Rosen
Wechsler Harwood LLP
488 Madison Avenue, 8th Floor
New York, NY 10022

Marc I. Gross
Pomerantz Haudek Block Grossman
& Gross LLP
100 Park Avenue, 26th Floor
New York, NY 10017

Charles Piven
Law Offices of Charles Piven
World Trade Center
401 E. Pratt Street, Suite 2525
Baltimore, MD 21202

Richard J. Vita
Law Offices of Richard J. Vita
77 Franklin Street, 3rd Floor
Boston, MA 02110

Biopure Corporation Securities Litigation

Service List

Plaintiffs' Counsel

Marvin L. Frank
Eric J. Belfi
Gregory B. Linkh
Rabin, Murray & Frank LLP
275 Madison Avenue, 8th Floor
New York, NY 10016

Mel E. Lifshitz
Bernstein Leibhard & Lifshitz, LLP
10 East 40th Street
New York, NY 10016

Susan Salvetti
Shaye J. Fuchs
Zwerling, Schachter & Zwerling, LLP
845 Third Avenue
New York, NY 10022

John G. Emerson
Scott E. Poynter
Emerson Poynter LLP
P.O. Box 164810
Little Rock, AR 72216

Jeffrey S. Marks
Marks & Artau, P.A.
2499 Glades Road, Suite 308
Boca Raton, FL 33431

Mary T. Sullivan
Segal Roitman & Coleman
11 Beacon Street, Suite 500
Boston, MA 02108

George E. Barrett
Douglas S. Johnston, Jr.
Timothy L. Miles
Barrett, Johnston & Parsley
217 Second Avenue, North
Nashville, TN 37201

James G. Stranch
Branstetter Kilgore Stranch & Jennings
227 Second Avenue, North
Nashville, TN 37201

Deborah R. Gross, Esq.
Robert P. Fruitkin, Esq.
Law Offices of Bernard M. Gross, P.C.
1515 Locaust Street, 2nd Floor
Philadelphia, PA 19102

Arnold Levin, Esq.
Levin Fishbein Sedran & Berman
510 Walnut Street, Suite 500
Philadelphia, PA 19106

David Jaroslawicz, Esq.
Jaroslawicz and Jaros
150 William Street, 19th Floor
New York, NY 10038

Curtis V. Trinko
Law Offices of Curtis V. Trinko, LLP
16 West 46th Street, 7th Floor
New York, NY 10036

Laurence D. King
Kaplan Fox & Kilsheimer
555 Montgomery Street, Suite 1501
San Francisco, CA 94111

Frederic S. Fox
Joel B. Strauss
Hae Sung Nam
Kaplan Fox & Kilsheimer
805 Third Avenue, 22nd Floor
New York, NY 10022

Biopure Corporation Securities Litigation

Service List

Plaintiffs' Counsel

Mary T. Sullivan
Segal Roitman & Coleman
11 Beacon Street, Suite 500
Boston, MA 02108

Brian J. Robbins
Jeffrey P. Fink
Robbins Umeda & Fink, LLP
1010 Second Avenue, Suite 2360
San Diego, CA 92101

Richard A. Lockridge
Karen Hanson Reibel
Lockridge Grindal Nauen P.L.L.P.
100 Washington Avenue South
Suite 2200
Minneapolis, MN 55401

Jack G. Fruchter
Fruchter & Twersky
One Penn Plaza, Suite 1910
New York, NY 10019

Jonathan M. Plasse
Christopher J. Keller
Goodkind Labaton Rudoff & Sucharow
100 Park Avenue, 12th Floor
New York, New York 10017